



# The Consular Connection

Newsletter of the Consular Section, U.S. Embassy, Port-au-Prince, Haiti  
April 2005

## Public Inquiries

Email:

Congressional Inquiries:  
consularportau@state.gov

Public Inquiries:  
papcons@state.gov

## Walk-ins:

For questions about immigrant visas, petitioners and applicants can visit the Immigrant Visa Information Window at the Consular Annex, M-F between 9:00am and 12:00pm.

## Telephone:

For telephone inquiries about visas, call the visa information line, Monday through Friday between 8:00 am and 4:00pm at 229-5001 (from Haiti) or 1-900-740-2842 (from the USA).

## Inside this issue:

ACS visits Haiti's North	1
Been Gone Too Long Returning Residents	2
Migration at Sea	3
Fraud Storm in Haiti	3
Social Security Beneficiary turns 100	
May 2005 Immigrant Visa Dates	6
Contact Information	6

## AMERICAN CITIZEN SERVICES VISITS HAITI'S NORTH

Jason Chiodi, Vice Consul

As a Vice Consul in the ACS Unit, I recently traveled throughout the northern region of Haiti meeting with nearly 70 American Citizens in the cities of Cap Haitian and Pignon. In Pignon, I also visited a hospital, an electric cooperative, and an agricultural development site all involving large numbers of American Citizens. In Cap Haitian, the I visited with the Warden responsible for northern Haiti as well as three sub-Wardens and paid visits to local civil and police officials.

The town hall meeting in Pignon was attended by the Warden responsible for the city of Pignon along with 17 other Americans. We discussed the overall security situation in Haiti, personnel changes in the Consular Section, the electronic visa application form, and reiterated recent changes in regulations regarding the renewal of passports for a minor child. We also discussed the activities of the U.S. SOUTHCOM *New Horizons* Task Force in the city of Gonaives and the successes of USG funded anti-HIV/AIDS programs in Haiti.

Pignon is also home to a local electric co-operative which had only a few weeks before begun generating electricity providing the town with its first public lighting. The Pignon Electrical Cooperative is being developed in co-

operation with the U.S.-based National Rural Electric Cooperative Association International which has been donating equipment and expertise to the Pignon cooperative. The cooperative is funded totally from private funds. The 30,000 citizens of Pignon now enjoy four hours per night of public lighting and future phases of the project plan to offer residential electricity service.

A visit to the *Hôpital Bienfaisance de Pignon* (Benevolent Hospital of Pignon) revealed a well-equipped and well-staffed sixty bed hospital. This hospital which was founded by a prominent local American physician also serves as a training hospital for doctors from three medical schools in Port-au-Prince. Present at the clinic at the time of the my visit was a medical team consisting of Americans from the states of Wisconsin, West Vir-

(Continued on page 6)



*The electrical generation facility for the Pignon Electricity Cooperative.*

## BEEN GONE TOO LONG:

### *Adjudicating Re-entry of Lapsed Legal Residents*

#### *Staff Writer*

Normally when an applicant is granted an immigrant visa, he or she takes up residence in the U.S. and has no further interaction with the State Department. The immigrant becomes instead the concern of the Department of Homeland Security (DHS), which is responsible for legal permanent residents (LPRs) until they naturalize.

An exception is a category of visa applicants called Returning Residents whose visa type is SB-1. These are applicants who have already immigrated and become LPRs, only to lose their

residency status by leaving the United States and remaining abroad too long. Usually these persons are intercepted at airport check-in by airline staff or at a port of entry by DHS officers, who notice that the travelers' green cards have expired, and/or that the last U.S. exit stamps in their passports indicate a length of overseas stay beyond the legal limit. In such cases DHS returns the candidates to their countries of origin. Upon returning they may make another application for an immigrant visa at the U.S. consulate.

The legal limits of travel abroad for LPRs are defined by DHS as follows: LPRs may be absent from the U.S. on a single trip for up to six months with no questions asked; over any three-year period, however, they must spend at least 50% of their days in the United States. Any absence over a year incurs the penalty of interrupting the LPR's length of continuous residence required for naturalization; in other words, the clock is reset to zero in their three to five year wait for citizenship. When extenuating circumstances require an extended absence, LPRs may apply in advance of departure for a 're-entry permit' valid up to two years; but even with the permit they are subject to an interruption of the continuous residence requirement for naturalization. These physical presence

requirements are fundamental for immigrants to demonstrate their commitment to eventual U.S. citizenship.

Consular officers presented with returning resident cases apply two criteria to decide whether an applicant merits restoration of resident status. The first criterion is the person's intent to return, judging by the original purpose for departure and from evidence that the applicant never abandoned U.S. ties of property, family, or livelihood. The second criterion is that any protracted stay was caused by forces beyond the LPR's control, i.e. that the over-stay was unplanned and unavoidable. Three examples of compelling causes would be an unexpected crisis or death of a relative which required the LPR's firsthand attention over many months, an illness or incapacitation on the LPR's own part, rendering him or her physically unable to travel back to the U.S., or the loss or theft of vital documents preventing the LPR's travel.

Any such alibis require proof, such as medical diagnoses, hospital bills, or police reports. Returning resident applicants should also show evidence that they made every effort to report their predicament to the local DHS office in a timely manner. In practice it is very rare that

*(Continued on page 5)*

#### Key Consular Personnel

Ambassador  
James B. Foley

Deputy Chief of Mission  
Douglas Griffiths

Consul General  
Jay T. Smith

Non-Immigrant Visa  
Unit Chief  
Jennifer L. Langston

Immigrant Visa Unit Chief  
Mark B. O'Connor

American Citizens Services  
Unit Chief  
Leslie Imes

Fraud Prevention  
Unit Chief  
Jay Zimmerman

## MIGRATION AT SEA: A *Hobbesian Choice*

*Ellen Bienstock, Vice Consul*

Many of us who conduct non-immigrant visa interviews marvel at how often poor Haitians will amass and spend U.S.\$100 on a visa application—perhaps their second, third, or fourth—that they appear to view as a lottery ticket. They hold hope that this time they will have the right document, say the right thing, get the right consul and therefore get the visa. The day can be grueling—arriving at 7 a.m., perhaps after spending all night driving from the provinces; waiting sometimes seven or eight hours in a hot, stuffy waiting room; being turned away because there are too many applicants. But none of that com-

pares to the horrors and risk that migrants at sea encounter.

Migrant statistics are difficult to gauge. While the U.S. Coast Guard (USCG) can quantify how many Haitian migrants they have interdicted at sea, there are many more who make their way to the U.S. or some destination in between (the Bahamas, Turks and Caicos, Jamaica) and an imponderable number who die at sea. Most USCG reports of Haitian migrants interdicted at sea include a grave description of a rickety, overloaded boat that was on its way to the sea's bottom had it not been for their intervention. The migrants on board have usually taken a leap of faith that the "captain" knew how to

navigate and that the lights they saw in the distance were Miami. More often than not the boats were interdicted long before they hit Miami's shores but only hours away from their passengers' imminent death from sinking or lack of food and water.

Despondent, though sometimes relieved (sea sickness and hunger abound on these trips), interdicted migrants are safely loaded on a USCG cutter patrolling in the area. While some of the cutters have Haitian Creole speakers on them an interpreter will be brought from the U.S. if needed.

While onboard the vessel migrants stay in the helicopter

*(Continued on page 4)*

## IS A PERFECT FRAUD STORM BREWING OVER HAITI?

*Jay Zimmerman, Fraud Prevention Unit Chief*

Fraud in Haiti is generally considered the efforts of street counterfeiters producing low quality specimens. We can all conjure the scene – an unsophisticated yet desperately determined young man or woman is approached while standing in the visa line by someone spinning a tale of being able to help them obtain a visa. A rendezvous is agreed upon, a packet of fake documents newly printed with a color ink jet or "doctored" photographs showing the young woman on a honeymoon with a "husband" the woman has never seen before are exchanged for a

few hundred gourdes. The documents are submitted and, in a flash, a few well-aimed questions followed by a quick telephone call to the "employer" by the Consular Officer unravels the scheme. Unfortunately, the comfort of that image clashes with the realization that sophisticated document fraud is on the increase in Haiti.

The particular factors present in Haiti – a population increasingly desperate to leave the insecurity and unpredictableness of the country, opportunistic professional criminal networks and the portable means of production of

high quality counterfeit documents may be coalescing into the perfect fraud storm over Haiti.

In November, DHS passed to the Fraud Prevention Unit (FPU) a passport containing a U.S. visa that a passenger had asked to be verified after he had been stopped from boarding an Air Canada flight. FPU was able to quickly determine the visa was fraudulent, but it was surprised by the unprecedented sophistication of the fake visa – which included the successful introduction of several security features embedded in the visa. FPU

*(Continued on page 5)*

## Migration at Sea

*(Continued from page 3)*

hanger, eat a twice-daily ration of rice and beans, usually get a shower, and cling to the flip-flops and blankets they are often provided. Once on the cutter migrants are interviewed about their reasons for leaving and the details of their attempted voyage. If a migrant claims political persecution and asks for asylum he or she will be given an asylum interview by a trained asylum case officer. This could mean that the migrant stays aboard the cutter for another few days or that the migrant is taken to the Guantanamo naval base or elsewhere for the interview.

When the cutter nears Haiti it anchors about a mile and half off shore. The Haitian Coast Guard provides the motor boats that will first bring the Embassy's Coast Guard Liaison Officer and the political section's migrant and refugee officer to the cutter. Once aboard the embassy officers will talk to the cutter's commanding officer about the interdiction—when and where the boat was interdicted, how long migrants had been at sea, and the general stories coming out of the interviews. The officer will also talk to the interpreter if he or she is on the cutter, as that person has the best sense of what issues the migrants brought up during their interviews. The migrants are offloaded in the motor boats and taken to a nearby Haitian Coast Guard base. Once ashore they register with the Haitian National Police and sometimes receive money to get home and a

small meal from Haiti's National Office of Migration (ONM). If the ONM cannot or will not provide assistance the U.S. Embassy may give monetary assistance to the arriving migrants. At that point local and international press alerted by an Embassy press release may be there to interview the migrants. Locally engaged Embassy staff members and the migration/refugee officer will then interview migrants to get a sense of why they chose to attempt to migrate, where they were headed, and how often they have tried to migrate by boat in the past.

Migrant stories are generally consistent. They will say that they left because they were hungry, there were no job prospects, life was expensive, there was insecurity, they could not afford to send their kids to school, and there was no hope. When asked if they are involved in politics they rarely say yes, but when they do they usually will not claim persecution as a reason for leaving. It is obvious that they are schooled on how to answer certain questions like where they were going, who the captain was, where they embarked, and how much they paid for the voyage. Typically the answer about the captain is that there was none, and they usually say they did not pay anything. Many say they will head back to their hometowns and that the prospect of another dangerous voyage is remote. But some admit that they will be back on another boat, entering the lottery where death at sea or arrival on un-

known shores with an uncertain future are the only possibilities.

The tragic drama ends without pomp or circumstance. Once migrants claim their belongings (usually a plastic garbage bag partially full of a few treasured items) they walk out the gate of the Haitian Coast Guard base and the rest of their journey remains undocumented.

It is hard to know how many migrants die each day on the high seas in vain attempts to escape the grueling misery that plagues them in their homeland. It is also hard to know how many people make multiple attempts to flee. The embassy's public diplomacy section broadcasts radio spots informing people of the dangers of migration at sea, but for many people the slim chance they could succeed is stronger than the greater chance they could die in the process. For them, dying at sea may be worth risking as an alternative to living in misery. We know that jobs, living wages, stability and security are the answers to the migration problem, but achieving them is another matter. Until then, Haitians will continue to play the lottery with their lives. While it is unfathomable to most of us, to them the gamble seems to be a reasonable response to the rigors of trying to survive another day on deforested soil in an insecure country with an uncertain future.

## Perfect Fraud Storm

*(Continued from page 2)*

considered the fraudulent MRV unique, however, it was quickly followed by the December arrest of two people at the Port-au-Prince airport selling high quality fake U.S. visas. In February rumors about the “street’s” ability to make passports to order were confirmed when a Haitian Official passport with fraudulent biographical data was purchased for \$1,000. In March, FPU helped determine that genuine U.S. passports had been fraudulently issued to two Haitian women from St. Marc. And, finally, in April, FPU discovered that Haitian Immigration may not be able to account for up to 2,000 genuine blank regular Haitian passports. As the sweeping arm of the radar scans Haiti, the unmistakable blips of an impending storm are steadily and

relentlessly recorded.

An American Airlines official recently speculated that organized criminal gangs in Haiti are branching out from drug trafficking to trafficking in people – including helping imposters obtain high quality fraudulent documents in order to board U.S.-bound flights. The money for high end documents would be attractive to criminal elements for, at most, a few hours work. Arrested imposters have admitted to paying between \$1,500 and \$6,000 for Haitian passports with high quality U.S. visas. Exploiting networks in both South and North America, Haitian criminal gangs wanting to invest a few hours (or a few clicks) in obtaining the software, the printing equipment and the know-how to replicate a U.S. visa would not, presumably, find it too difficult to do so. With

modern communication and portable printing and production capacities readily available, only a few clicks could easily garner organization, production and technological expertise needed to replicate most of the security features of a given passport or a U.S. visa. The same judicial and law enforcement climate making Haiti a desirable drug transshipment location also poses minimal deterrence to the organized and professional counterfeiter (the counterfeiters arrested in December were quickly represented by private lawyers and at least one attempt to bribe the prosecuting attorney has already been made).

As the dark clouds of desperation, criminal organization and technological opportunity gather over Haiti, the elements of the perfect fraud storm loom.

## Been Gone Too Long

*(Continued from page 2)*

candidates are able to support their claims. Applicants tend simply to plead ignorance of the DHS rules, saying they did not realize that residency status required them actually to reside in the U.S.; or they relate stories backed by insufficient or contradictory documentation. For instance a green card ostensibly stolen several years earlier is not reported to the police until shortly before the date of the visa interview or the local DHS office is never contacted until the applicant is denied boarding on a flight.

## AMBASSADOR FOLEY ADDRESSES WARDEN MEETING



*U.S. Ambassador to Haiti, James B. Foley, addresses semi-annual American Citizen Wardens' meeting on March 30, 2005*

## ACS Visits Haiti's North

(Continued from page 1)

ginia, and Minnesota who were conducting reconstructive and laparoscopic surgeries at the hospital. Also present in Pignon is the Haitian American Friendship Foundation (HAFF) compound which is home to approximately 15 Americans on a full-time basis. This compound hosts an experimental farm run by a U.S.-based NGO called Educational Concerns for Hunger Organization (ECHO) which focuses on identifying crop varieties with the goal of improving the livelihood of Haitian farmers.



*The author (R) and Royal Caribbean employees at their facility in Labadee*

I also visited the Royal Caribbean Cruise Lines facility at Labadee which is located on the coast to the west of Cap Haitian. According to one Royal Caribbean employee, approximately 80-85% of all guests on Royal Caribbean ships are American Citizens. As most ships visiting this facility have on average 3,700 guests and the facility welcomes three visits per week, this equates to nearly 10,000 American Citizens visiting this facility each week.

## SOCIAL SECURITY BENEFICIARY TURNS 100

*Jason Hahn, Vice Consul*

The American Citizen Services unit recently had the opportunity to recognize a Social Security beneficiary who will shortly be turning 100 years old. Members of the ACS staff went to visit Lydia Taylor and present her with a certificate provided by the Social Security Administration (SSA). Ms. Taylor lived for a number of years in Brooklyn, NY where she worked as a building cleaner. She has fond memories of her life in the United States and thanks the

American people for their generosity. She will turn 100 on May 19.



*Lydia Taylor (R) and her nephew with the certificate given by the S.S.A*

### Consular Section

**U.S. Mailing Address:**  
U.S. Embassy Port-au-Prince,  
Consular Section  
3400 Port-au-Prince Pl.  
Washington DC 20521-3400

**Street Address:**  
U.S. Embassy, Consular Section  
104, rue Oswald Durand  
Port-au-Prince, Haiti

#### VISA INFORMATION

For information on both non-immigrant and immigrant visas, and specific information on immigrant visa cases, please contact the Consular Section:

By Phone: 229-5001 (from Haiti)

1-900-740-2842 (from U.S.A.)

By Email: [papcons@state.gov](mailto:papcons@state.gov)

By Mail: At one of the above addresses

#### AMERICAN CITIZEN SERVICES

For information on passports, reports of birth, reports of death, notarial services and other American citizen services, please contact ACS:

By Phone: +(509) 223-7011

By Email: [acspap@state.gov](mailto:acspap@state.gov), or [acspap1@hotmail.com](mailto:acspap1@hotmail.com)

By Mail: At one of the above addresses

Questions or comments relating to this newsletter should be sent to [papcons@state.gov](mailto:papcons@state.gov).

#### Cutoff Dates for Immigrant Visas — May 2005

F1	Unmarried Son/Daughter of AmCit	01 Apr 2001
FX	Spouse or child < 21 of LPR	01 Mar 1998
F2A	Spouse or child < 21 of LPR	01 Mar 2001
F2B	Unmarried Son/Daughter > 21 of LPR	08 Nov 1995
F3	Married Son/Daughter of AmCit	22 Jan 1998
F4	Brother/Sister of AmCit	01 Jul 1993